

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SAMUEL HOFFMEYER

Plaintiff,

v.

MS. PERRY, *et al.*,

Defendants.

:
:
:
:
:
:
:
:
:
:

Case No. 2:21-cv-1942

CHIEF JUDGE ALGENON L. MARBLEY

Magistrate Judge Elizabeth P. Deavers


OPINION & ORDER

This matter comes before the Court on the Magistrate Judge’s May 24, 2021 Report and Recommendation. (ECF No. 7). The Magistrate’s Judge R&R recommended that Plaintiff’s Motion for Leave to Proceed in Forma Pauperis be granted, that his claims against LeCi employees Investigator Jon Tabor, Prison Rape Elimination Act (“PREA”) Coordinator Don Hudson, and Inspector Hoover be dismissed as duplicative, and that Plaintiff’s claims under the PREA be dismissed for failure to state a claim. The Magistrate Judge further recommended that Plaintiff be allowed to proceed on his Eighth Amendment deliberate indifference and failure-to-protect claims against Defendants Perry, Scott, Wellinghoff, and Lions.

The Report and Recommendation specifically advised the parties that the failure to object results in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. (*Id.*). The parties have failed to file any objections, and the deadline for objections has passed.

The Court hereby **ADOPTS** the Report and Recommendation. (*Id.*). Plaintiff’s Motion for Leave to Proceed in Forma Pauperis is **GRANTED**. (ECF No. 1).

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: July 26, 2021